

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **January 13, 2004**

AGENDA ITEM NO.: 15

CONSENT:

REGULAR: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **To Authorize the Lynchburg Redevelopment and Housing Authority
(LRHA) To Pursue Acquisition of Blighted Property at 2157 Campbell Avenue**

RECOMMENDATION:

Adopt a resolution authorizing LRHA to pursue acquisition of blighted property at 2157 Campbell Avenue under Section 36-19.5 of the Code of Virginia.

SUMMARY:

Following a public hearing on January 14, 2003, City Council agreed to postpone a decision regarding this request indefinitely. Please see attached information from LRHA asking that City Council reconsider the Authority's request to acquire the blighted property at 2157 Campbell Avenue.

PRIOR ACTION(S):

NA

FISCAL IMPACT:

NA

CONTACT(S):

Edward H. McCann 845-9011

ATTACHMENT(S):

- Resolution
- January 14, 2003 Minutes
- Letter from LRHA

REVIEWED BY: lkp

RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY

WHEREAS, it appearing to City Council from the evidence presented at the public hearing that the structure located at 2157 Campbell Avenue, parcel 050-10-007 (i) has deteriorated to such an extent as to constitute a serious and growing menace to the public health, safety and welfare; (ii) that such structure is likely to continue to deteriorate unless corrected; (iii) that the continued deterioration of such structure will contribute to the blighting or deterioration of the area immediately surrounding 2157 Campbell Avenue; (iv) that the owner of 2157 Campbell Avenue was given 60 days notice by certified mail of the condition of the structure and has failed to correct the deterioration; and (v) that 2157 Campbell Avenue lies within the Lynchburg Redevelopment and Housing Authority's area of operation;

NOW, THEREFORE BE IT RESOLVED that as provided by Section 36-19.5 of the Code of Virginia the Lynchburg City Council does hereby authorize the Lynchburg Redevelopment and Housing Authority to acquire the property located at 2157 Campbell Avenue by purchase, lease, gift or through the exercise of eminent domain for the purpose of development and redevelopment, including, but not limited to, the renovation, rehabilitation and disposition of the structure at 2157 Campbell Avenue;

BE IT FURTHER RESOLVED that the Lynchburg Redevelopment and Housing Authority is hereby designated and authorized to act on the City's behalf in the acquisition of the property at 2157 Campbell Avenue.

Adopted:

Certified:

Clerk of Council

002P

January 14, 2003

// In the matter of Housing Authority, a public hearing was held regarding City Council Report #12 regarding a request from the Lynchburg Redevelopment and Housing Authority (LRHA) for authorization to pursue acquisition of blighted property at 2157 Campbell Avenue under Section 36-19.5 of the Code of Virginia. Ms. Connie Snavelly, representing LRHA, outlined the request and asked for approval. Ms. Snavelly stated that the property owner's son, Mr. Wayne Elliott, informed her that he has hired the firm of Acres Incorporated to coordinate the renovation work on the house, with work scheduled for completion by July 1. Mr. Wayne Elliott outlined efforts taken thus far regarding improvements to the property, explaining that he was unaware of the severity of the situation until he found the LRHA letter in his father's possessions. Mr. Elliott further explained that plans are to put the house on the market for sale once the renovations have been completed. There was no one else present who wished to speak to this item. Some Council Members commented that Mr. Elliott's efforts to date, including the hiring of an architectural firm, showed a serious intent on his part to complete the renovations to the property. In response to Council questioning, City Attorney Walter Erwin explained that one option would be for City Council to postpone this item indefinitely, thereby allowing LRHA to bring the matter back to Council at anytime if the renovations to the property were not completed in a timely matter. On motion of Council Member Barksdale, seconded by Council Member Seiffert, Council by the following recorded vote agreed to postpone this item indefinitely:

Ayes: Adams, Barksdale, Dodson, Foster, Garber, Seiffert, Hutcherson

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Noes:

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LYNCHBURG REDEVELOPMENT AND HOUSING AUTHORITY

918 COMMERCE ST. P.O. BOX 1298, LYNCHBURG, VIRGINIA 24505 (434) 845-9011

November 17, 2003

Mrs. Patricia W. Kost
Clerk of City Council
P.O. Box 60
Lynchburg, Virginia 24505

Re: Parcel 050-10-007
2157 Campbell Avenue

Dear Mrs. Kost:

This is a follow up to our conversation last Friday regarding the Authority's board action taken on November 13, 2003, concerning the above property. The Authority's commissioners approved a motion requesting City Council re-consider authorizing the Authority to acquire the spot blight property at 2157 Campbell Avenue, parcel 050-10-007.

City Council conducted a public hearing and considered the Authority's request for authorization to acquire this property at its meeting on January 14, 2003. Council postponed taking action indefinitely since the owner's son reported that work was underway. Work has not begun and it is our understanding from Mr. Elliot's attorney that due to several factors, work will not be undertaken.

Enclosed is a copy of the resolution adopted by the Authority commissioners on December 12, 2002, the original notice to the owners, a proposed resolution for City Council's consideration and initial and more recent pictures of the property. This is to request that you schedule this matter for Council's consideration. If you need any additional information or have any questions, please call me at 845-3154.

Mrs. Patricia W. Kost

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November 17, 2003

Thank you for your assistance with this matter.

Sincerely,

A handwritten signature in cursive script that reads "Connie J. Snavely". The signature is written in black ink and is positioned below the word "Sincerely,".

Connie J. Snavely

cc: Karl Cooler, Building Official
Bob Drane, Senior Building Inspector

Resolution Authorizing the Executive Director to seek approval of City Council for the acquisition of the property at 2157 Campbell Avenue, Parcel 050-10-007, Lynchburg, Virginia pursuant to Code section 36-19.5

WHEREAS, the Commissioners of the Lynchburg Redevelopment and Housing Authority (the Authority) have undertaken the exercise of additional powers granted to the Authority pursuant to section 36-19.5 of the Code of Virginia, as amended; and

WHEREAS, one of the major objectives to be achieved in exercising powers granted to the Authority under Code section 36-19.5 is to prevent single-family or multi-family dwelling units within the Authority's area of operation from contributing to the blighting or deterioration of the area immediately surrounding such dwelling unit as a result of the continued deterioration of such dwelling unit and further, to prevent the deterioration of such dwelling unit to such an extent as to constitute a serious and growing menace to the public health, safety and welfare; and

WHEREAS, the Commissioners of the Authority have made a finding that the dwelling unit located at 2157 Campbell Avenue, Lynchburg, Virginia (the property), (i) has deteriorated to such extent as to constitute a serious and growing menace to the public health, safety and welfare; (ii) that the property is likely to continue to deteriorate unless corrected; and (iii) that the continued deterioration of the property may contribute to the blighting or deterioration of the area immediately surrounding the dwelling unit; and

WHEREAS, the Commissioners of the Authority have made a further finding that, unless the property is brought into full compliance with the applicable building codes of the City of Lynchburg, Virginia, the acquisition of the property pursuant to Code section 36-19.5 (B) will further the objectives of, and is necessary for, the purposes of the Authority; and

WHEREAS, as a prerequisite to the acquisition of the property by the City of Lynchburg, on behalf of the Authority, in accordance with Code section 36-19.5 (B), the required notice has been given to the landowner to correct the deterioration of the dwelling unit; and

WHEREAS, the owner has failed to correct the deteriorated condition of the dwelling unit.

THEREFORE, BE IT RESOLVED, by the Commissioners of the Authority that the Executive Director of the Authority, in consultation with the Authority's legal counsel, is hereby authorized and directed to request that the City Council of the City of Lynchburg hold a public hearing to consider the Authority's request to acquire the property at 2157 Campbell Avenue, Lynchburg, Virginia, in accordance with the provisions of Code section 36-19.5, for the purpose of development and redevelopment, including, but not limited to, renovation, rehabilitation and disposition of the property.



LYNCHBURG REDEVELOPMENT AND HOUSING AUTHORITY

1101 COURT ST. P.O. BOX 1298, LYNCHBURG, VIRGINIA 24505 (434) 845-9011

EDWARD H. McCANN

Executive Director

September 13, 2002

Charlie A. & Velma P. Elliott
6142 Richmond Highway
Lynchburg, Virginia 24504

Re: 050-10-007
2157 Campbell Avenue
Lynchburg, Virginia

Dear Mr. & Mrs. Elliott:

In a cooperative effort with the City of Lynchburg, the Board of Commissioners of the Lynchburg Redevelopment and Housing Authority has directed our staff to identify residential properties that are deteriorated, that are likely to continue to deteriorate unless corrected, and that may contribute to the blighting or deterioration of the surrounding area. We have been made aware of the above property which city records shows to be owned by you. We observed the dwelling on January 28, 2002, and more recently on September 9, 2002, and found the following conditions:

1. Fire damage to front of structure, second story and front porch.
2. Gutters deteriorated.
3. Windows and doors boarded.
4. Peeling paint on siding, trim and support posts.
5. One support post missing.
6. Soffits and fascia deteriorated.
7. Roof deteriorated.

We are requesting that these deficiencies and any other non-compliance with the local building code be corrected within sixty (60) days of receipt of this notice, pursuant to Section 36-19.5 of the Code of Virginia. If these corrections are not completed within that time, the Authority Commissioners may request Lynchburg City Council to conduct

Charlie A. & Velma P. Elliot

September 13, 2002

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a public hearing to determine the appropriateness of authorizing the Authority to acquire the property for the purpose of development and redevelopment, including but not limited to, renovation, rehabilitation, and disposition of the property.

Please contact Connie Snavely of our staff at (434) 845-9011 if you wish to discuss this.

Very truly yours,

A handwritten signature in black ink, appearing to read "Edward H. McCann", followed by a horizontal line.

Certified Mail -- Return Receipt Requested

Property Address: 2157 Campbell Avenue

Owner's Name: Charlie A. & Velma P. Elliot

Owner's Address: 8142 Richmond Highway, Lynchburg, VA 24504

Parcel No.: 050-10-007

Assessed Value: Land - \$ 4,000 Improvement - \$ 3,000 Total - \$ 7,000 (As of July 1, 2002)

Land - \$ 4,000 Improvement - \$ 3,000 Total - \$ 7,000 (As of July 1, 2003)



Date of Pictures: October 29, 2002

Deficiencies:

- Fire damage to front of structure, second story and front porch
- Gutters deteriorated
- Windows and doors boarded
- Peeling paint on siding, trim and support posts
- One support post missing
- Soffits and fascia deteriorated
- Roof deteriorated

2157 Campbell Avenue

Date of pictures: November 18, 2003

